



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Garry Bredefeld, Acting Council President
Chris Mathys,
Henry Perea

Sal Quintero
Daniel Ronquillo
Ken Steitz

Interim City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, NOVEMBER 14, 2000

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve minutes of October 24, 2000

Action Taken:

AGENCY GENERAL ADMINISTRATION

- A. Council/Agency consideration of relocation plan for Phase II of Regional Medical Center (*Council and Agency action*)

Action Taken:

1. **RESOLUTION** - Approving the relocation plan for Phase II of the Regional Medical Center Project in the Jefferson Redevelopment Area (*Council and Agency action*)

Action Taken:

- B. Recommend approval of assignment of City's trust deed interests in the Lincoln Heights Affordable Housing Project to the National Farm Workers Service Center, Inc., subject to certain conditions being met; recommend the City Manager be authorized to execute any and all documents and instruments attesting to and/or effectuating such an assignment (*Council action*)

Action Taken:

8:30 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED

AGENCY GENERAL ADMINISTRATION

- C. Award a contract for asbestos removal and building demolition at 310 South West Avenue
(Agency action)
Action Taken:
- D. Consider approval of a “Lease Agreement With the Right to Acquire” between the Agency (as landlord) and the City (as tenant) for the Police Substation Facility at Kearney Palms Shopping Center *(Council and Agency action)*
Action Taken:
- E. Report and receive direction on issues related to parking and ingress and egress to downtown in support of stadium - Councilmember Perea
Action Taken:

ADJOURN AGENCY

9:00 A.M. COUNCIL ROLL CALL

Invocation by Pastor Jim McAlister from Harmony Free Will Baptist Church

Pledge of Allegiance to the Flag

Proclamation of “NATIONAL DIABETES AWARENESS MONTH” - Councilmember Perea

Proclamation of “FAMILY CAREGIVER’S MONTH”

Resolution of Commendation to Robert Smittcamp and Derrel Ridenour

Proclamation of “TEAGUE SCHOOL LIBRARY MEDIA PROGRAM DAY” - Councilmember Mathys

Proclamation of “SAMARITAN WOMEN WEEK”

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of October 31, 2000

Action Taken:

****ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS
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9:45 A.M. Appearance by Jay Johnson to discuss the construction of the soccer fields at West and North Avenues

Action Taken:

9:50 A.M. Appearance by the Hmong American Republic National Reform Union Inc., to discuss their participation in the community and state

Action Taken:

10:00 A.M. **HEARING** to consider Plan Amendment Application No. A-00-013 and related Environmental Assessment No. A-00-013, filed by Scott Ellis, Jr., Ellis Enterprises, to amend Plan Policy No. 1-4.3-f as it relates to office commercial land use creating an exception to the 20-foot maximum height limit for an office building to be located on a 1.81-acre parcel at the northwest corner of N. Cedar and E. Alluvial Avenues

Action Taken:

1. Consider Environmental Assessment/Negative Declaration No. A-00-013

Action Taken:

2. **RESOLUTION** - Amending the Woodward Park Community Plan

Action Taken:

10:15 A.M. **HEARING** to consider Rezoning Application No. R-00-030 and environmental findings, filed by Trend Homes, Inc., for the development of 19.2 acres located on the south side of McKinley Avenue between Cornelia and Blythe Avenues (VTT-4974)

Action Taken:

1. Consider Environmental Assessment/Mitigated Negative Declaration No. T-4974, R-00-30, dated September 27, 2000

Action Taken:

2. **BILL** - Amending the Official Zone Map to rezone property from the AE-5/UGM zone district to the R-1/UGM zone district

Action Taken:

10:30 A.M. **HEARING** to consider Rezoning Application No. R-00-28 and environmental findings, filed by Jim Logan, to rezone a parcel of land 0.17 acre in size located on the northeast corner of N. Blackstone and E. Cornell Avenues

Action Taken:

1. Consider Environmental Assessment No. R-00-28/Categorical Exemption

2. **BILL** - Amending the Official Zone Map to rezone property from the C-6/cz zone district to the C-6/cz zone district

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:45 A.M. Council direction to staff regarding Browning Ferris Industries (BFI) solid waste service in Calwa - Councilmember Quintero
Action Taken:

11:00 A.M. Presentation by the Board President of Fresno Regional Foundation regarding their organization relating to grants and working with non-profit agencies - Council President Boyajian
Action Taken:

11:15 A.M. Suspend enforcement of sign ordinance pending development of City-wide plan for equal enforcement and review of modifications of the sign ordinance - Councilmember Perea
Action Taken:

2:00 P.M.#1 **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

2:00 P.M.#2 **CLOSED SESSION**

A. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6 (Councilmember Quintero)

City Negotiator(s): Jorge Aguiniga, Andrew T. Souza and Matthew Gargiulo

Employee Organization(s):

1. Fresno Police Officers Association Non-Supervisory Police (FPOA)
2. International Association of Firefighters, Local 753 Non-Management Fire (IAFF)
3. International Association of Firefighters, Local 753 Fire Management (IAFF)

Action Taken:

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation:

1. **Case Name:** Claim of Meron Shita
2. **Case Name:** Claim of Barket Shita
3. **Case Name:** Claim of Yordanos Shita
4. **Case Name:** Claim of Banchamlak Shita
5. **Case Name:** Claim of Marie Tedla
6. **Case Name:** Claim of Alemenew Wobetie
7. **Case Name:** Claim of Lakachew Leyew

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M.#2

CLOSED SESSION CONTINUED

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

- 1. Case Name:** Andrea M. Neville v. City of Fresno, et al.
- 2. Case Name:** Vito Ungaro v. City of Fresno, Superior Court Case No. 652965-5
- 3. Case Name:** Cara Tkagut v. City of Fresno, Fresno Police Department and Mark A. Moran
- 4. Case Name:** Solpac, Inc. dba Soltek Pacific v. City of Fresno, et al. Mauldin Dorfmeier Construction, Inc. (Real Party in Interest)

Action Taken:

4:00 P.M. RESOLUTION - Opposing the Westlands Water rights filing - Councilmember Perea

Action Taken:

- 1.** Council commitment to assist in resolving water supply problems

Action Taken:

5:00 P.M. CONTINUED HEARING to consider Plan Amendment Application No. A-00-07, Rezoning Application No. R-00-13, and environmental findings, filed by Halferty Development, for 12.5 acres located on the southeast corner of N. Brawley and W. Herndon Avenues

Action Taken:

- a.** Consider Environmental Assessment/Mitigated Negative Declaration No. A-00-07, R-00-13, C-00-108 dated July 19, 2000

Action Taken:

- b. RESOLUTION - Amending the Bullard Community Plan**

Action Taken:

- c. BILL - Amending the Official Zone Map to rezone property from the AE-5/UGM zone district to the C-2/EA/UGM and R-1-B/UGM zone districts**

Action Taken:

- d.** Appearance by David E. Roy to discuss the rezoning of the southeast corner of Herndon and Brawley and express concern regarding excessive commercial development in the area

Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

- 1.** Award a contract for new access structures for wastewater collection system, Bullard, McKinley and Tuolumne Avenues

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

2. Award a contract for ten (10) police motorcycles
Action Taken:
3. Rescind award of a contract for three (3) new Class-8 dump trucks
Action Taken:
 - a. Award a contract for three (3) new Class-8 dump trucks to next lowest responsible bidder
Action Taken:
4. * **RESOLUTION** - 65th amendment to AAR No. 2000-183 appropriating \$166,300 for Shields Avenue median island landscaping project (***Requires 5 affirmative votes***)
Action Taken:
 - a. Award a contract for Shields Avenue median island landscaping project
Action Taken:
5. Award a contract for Fresno Yosemite International (FYI) airfield lighting remote control system upgrade
Action Taken:
6. * **RESOLUTION** - 58th amendment to AAR No. 2000-183 appropriating contingency funds to be used to pay for costs related to anti-discrimination and anti-harassment training sessions (***Requires 5 affirmative votes***)
Action Taken:
7. Request approval to sell a surplus water well site near Sample and Colonial
Action Taken:
8. **RESOLUTION** - Of intention to annex Final Map of Tract No. 4947 as Annexation No. 25 to the City of Fresno Community Facilities District No. 2, to authorize the levy of special taxes and setting the public hearing for December 19, 2000 at 10:00 a.m.
Action Taken:
9. Approve amendment to agreement with Boyle Engineering Corporation to provide landscape architectural services for a regional park/sports complex park at the Fresno Sanitary Landfill
Action Taken:
10. Approve amendment to agreement with Camp, Dresser & McKee, Inc., to environmental engineering services relating to groundwater remediation activities at the Fresno Sanitary Landfill Superfund Site
Action Taken:
11. Authorize Chief of Police to enter into consultant services agreement with Gartner Group, Inc.
Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. * **RECONSIDERATION OF RESOLUTION** - 63rd amendment to AAR No. 2000-183 appropriating \$112,100 to pay for installation costs of \$99,100 and service charges totaling \$13,000 related to the communications services contract with Pacific Bell (*Requires 5 affirmative votes*)
Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Report and update from the Development Department, Code Enforcement and City Attorney concerning the pay phones that are being installed without permits - Councilmember Quintero
Action Taken:
- B. Direct staff to develop criteria appropriate land use around parks and schools - Councilmember Perea
Action Taken:
- C. **RESOLUTION** - Establishing the City of Verona, Italy, as a Sister City - Councilmember Perea
Action Taken:
- D. Request City Manager to direct staff to install stop signs at Van Ness/Bremmer and Fulton/La Sierra - Councilmember Ronquillo
Action Taken:
- E. Request City Manager to provide report on current revenue received by County from City enforcement of traffic violations - Council President Boyajian
Action Taken:
- F. * **RESOLUTION** - 69th amendment to AAR No. 2000-183 appropriating \$3,000 of District 5's general fund infrastructure to fund \$2,000 for the East Fresno Boys and Girls Club and \$1,000 for the Southeast Toy Drive - Councilmember Quintero (*Requires 5 affirmative votes*)
Action Taken:
- G. * **RESOLUTION** - 70th amendment to AAR No. 2000-183 appropriating \$500 of District 3's general fund infrastructure and \$500 of District 5's general fund infrastructure to fund the annual holiday concert and illumination ceremony of the Trinity Armenian Apostolic Church - Councilmembers Quintero and Ronquillo (*Requires 5 affirmative votes*)
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

**ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION*

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Nov. 27 - 30** General Plan Hearings
- Nov. 28 - 10:00 A.M. HEARING** re: Annexation No. 24 of CFD No. 2
- Nov. 28 - 10:30 A.M. HEARING** re: Rezone Appl. No. R-00-0027, filed by Sylvia Disney and Edward Lujano
- Nov. 28 - 3:00 P.M.** Appearance by George and Michael Donovan re: approval of mixed-use office/retail property located on the southeast corner of Herndon and Palm Avenues
- Dec. 5 - 10:00 A.M. HEARING** re: P. A. No. A-00-14, R-00-32, filed by Gary Walker on behalf of General Life
- Dec. 5 - 4:45 P.M.** Christmas Tree Lighting Ceremony
- Dec. 5 - 5:00 P.M. CONTINUED HEARING** on P.A. No. A-00-03, R-00-04, filed by George Beal, property located on N. Maple and E. Shepherd
- Dec. 4 - 8** General Plan Hearings (*if needed*)
- Dec. 12 - 10:00 A.M. HEARING** re: P.A. No. A-99-35 updating the Mineral Resource Policies in the General Plan Conservation Element
- Dec. 19 - 10:00 A.M. HEARING** re: Annexation No. 25, Community Facilities District No. 2
- Dec. 19 - 10:15 A.M. HEARING** re: P.A. No. 00-15, R-00-33, filed by Ralph E. Lovelace

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***